

1
2
3 BILL NO. G-75-06-10

4 GENERAL ORDINANCE NO. G-18-75

5 AN ORDINANCE amending General Ordinance No. G-97
6 by authorizing the vacation of a portion of
7 Whitmore Avenue in the City of Fort Wayne

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
9 WAYNE, INDIANA:

10 SECTION 1. Petition for the vacation of a portion of a certain street
11 having been filed with the Fort Wayne City Plan Commission and resolution having
12 been duly adopted by the Fort Wayne City Plan Commission on May 27, 1975 follow-
13 ing a public hearing thereon, all in accordance with Section 44, Chapter 174 of the
14 Acts of the General Assembly of the State of Indiana, as amended by Section 3,
15 Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns
16 Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in
17 General Ordinance No. G-97 adopted by the Common Council of the City of Fort
18 Wayne on November 26, 1963, is amended by deleting the following portion of
19 Whitmore Avenue, Fort Wayne, Allen County, Indiana:

20
21 That portion of Whitmore Avenue, extending east from the east
22 right-of-way of Darlene Drive, to its terminus, lying south of
23 Lots # 57, 56, 55 of Brooklyn Hills Addition, and north of Lots
24 # 52, 53 & 54 of Brooklyn Hills Addition

25 SECTION 2. After passage of this Ordinance, approval by the Mayor
26 and legal publication, a duly certified copy of this Ordinance, of the recommendation
27 of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be
28 transmitted by the City Clerk to the Board of Public Works of the City of Fort
29 Wayne, Indiana.

30 SECTION 3. This Ordinance shall be in full force and effect from and
31 after its passage, approval by the Mayor and legal publication thereof.

32
33 Eugene Kraus
34 Councilman

35
36 APPROVED AS TO FORM
37 AND LEGALITY,
38 John B. Th
39 CITY ATTORNEY

Read the first time in full and on motion by Burns, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 6/10/75

Charles W. Whittemore
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

TOTAL VOTES	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
BURNS	✓				
HINGA	✓				
KRAUS	✓				
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.				1	
SCHMIDT, V.	✓				
STIER	✓				
TALARICO	✓				

Date: 6-24-75

Charles W. Whittemore
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. B-18-75 on the 24th day of June, 1975.

ATTEST: (SEAL)

Charles W. Whittemore
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of June, 1975, at the hour of 10:00 o'clock _____ M., E.S.T.

Charles W. Whittemore
CITY CLERK

Approved and signed by me this 25th day of June, 1975, at the hour of 11:30 o'clock A M., E.S.T.

James Stier
MAYOR

Bill No. G-75-06-10

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

amending General Ordinance No. G-97 by authorizing the vacation of a
portion of Whitmore Avenue in the City of Fort Wayne.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

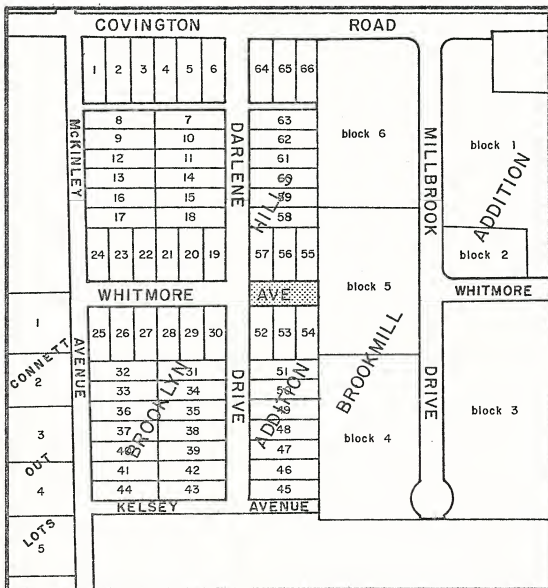
Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

Eugene Kraus
John Nuckols
Vivian G. Schmidt
Paul M. Burns
Donald J. Schmidt

DATE 6-24-75 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



 STREET TO BE VACATED



COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 29, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

That portion of Whitmore Avenue, extending east from the
east right-of-way of Darlene Drive, to its terminus, lying
south of Lots # 57, 56 & 55 of Brooklyn Hills Addition,
and north of Lots # 52, 53 & 54 of Brooklyn Hills Addition

which was approved by the City Plan Commission at its regular meeting
held May 27, 1975.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
29th day of May, 1975

Charles N. Hall
Secretary



R E S O L U T I O N

WHEREAS, the Fort Wayne Housing Authority, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to-wit:

That portion of Whitmore Avenue, extending east from the east right-of-way of Darlene Drive, to its terminus, lying south of Lots # 57, 56, & 55 of Brooklyn Hills Addition, and north of Lots # 52, 53, & 54 of Brooklyn Hills Addition.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Tuesday, May 27,
1975, at 7:30 P.M. o'clock, and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street or alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

I, James E. Kelley Vice President of the Fort Wayne City
Plan Commission, do hereby certify that attached hereto is a full, true
and correct copy of a resolution adopted by the Fort Wayne City Plan
Commission following a public hearing of said Commission held on Tuesday
May 27, 1975, and as the same appears of record in the official
records of said Plan Commission.

DATED THIS 27th DAY OF May, 1975.

FORT WAYNE CITY PLAN COMMISSION

James E. Kelley
Vice President

PETITION TO VACATE STREET

TO: THE CITY PLAN COMMISSION
FORT WAYNE, INDIANA

THE BOARD OF PUBLIC WORKS
FORT WAYNE, INDIANA

The Fort Wayne Housing Authority does hereby petition the City Plan Commission of the City of Fort Wayne to vacate the following street within the City of Fort Wayne, described as follows:

That portion of Whitmore Avenue, extending east from the east right-of-way of Darlene Drive, to its terminus, lying south of Lots # 57, 56 & 55 of Brooklyn Hills Addition, and north of Lots # 52, 53 & 54 of Brooklyn Hills Addition.

In support thereof, your petitioner would represent as follows:

(1) That The Housing Authority of the City of Fort Wayne is the owner of all the real estate surrounding and abutting the street requested to be vacated.

(2) That, to the knowledge of the petitioner, no other person, firm, or corporation has any interest in the vacation proposed.

(3) That the vacation of said street will not cut off access to any property, particularly church, school, or public grounds, and that it would be in the best interests of the City of Fort Wayne that said street be vacated.

(4) That this petition is filed pursuant to the terms of Burns Ind. Stat. Anno. § 53-744. In order to complete the vacation of the said street as described.

WHEREFORE, your petitioner prays that the street above described be vacated according to the provisions of the Indiana law pertaining thereto.

THE HOUSING AUTHORITY OF
THE CITY OF FORT WAYNE



Executive Director

Vacation of a portion of Whitmore Avenue
TITLE OF ORDINANCE 87-75-26-10

DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING

SYNOPSIS OF ORDINANCE Petitioners (Fort Wayne Housing Authority)

are requesting the vacation of the following described street.

That portion of Whitmore Avenue, extending east from the east right-of-way
of Darlene Drive, to its terminus, lying south of Lots # 57, 56, & 55
of Brooklyn Hills Addition, and north of Lots # 52, 53 & 54 of Brooklyn
Hills Addition.

EFFECT OF PASSAGE If vacation, this street will be utilized
by the Brookmill Courts.

EFFECT OF NON-PASSAGE Street will remain open and unimproved

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) _____

*Regulation
J.N.*



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

June 26, 1975

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of June 30 and July 7, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-75-06-07
General ORD. No. G-16-75
Vacation of Utility easement
Justin Study School

General Ord. No. G-17-75
Bill No. G-75-06-09
Vacation of an alley

Bill No. G-75-06-10
General Ord. No. G-18-75
Vacation of portion of
Whitmore Avenue

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 3

Common Council of Fort Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

103

2

105

COMPUTATION OF CHARGES

Notice is hereby given that on the 24th day of June, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-75-06-10 G-18-75 General Ordinance, to-wit:

GENERAL ORDINANCE NO. G-18-75
AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Whitmore Avenue in the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of a certain street having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on May 22, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Whitmore Avenue, Fort Wayne, Allen County, Indiana:

That portion of Whitmore Avenue, extending east from the east right-of-way of Darlene Drive, to its terminus, lying south of Lots 357, 36, 55 of Brooklyn Hills Addition, and north of Lots 352, 53 & 54 of Brooklyn Hills Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

EUGENE KRAUS, City Clerk
Read the third time in full and on motion by Kraus, seconded by Hinga, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
O. Schmidt

DATE: 6-24-75
CHARLES W. WESTERMAN, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-18-75 on the 24th day of June, 1975.

ATTEST (SEAL)
CHARLES W. WESTERMAN, City Clerk

JAMES S. STIER, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of June, 1975, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk
Approved and signed by me this 25th day of June, 1975, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff, Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-18-75 as passed by the Common Council on the 24th day of June, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of June, 1975 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of June, 1975.

CHARLES W. WESTERMAN, City Clerk

1 column wide equals 105 equivalent lines at .288¢ per line

\$ 30.24

Charge for notices containing rule or tabular work (50 per cent of above)

Proofs of publication (50 cents for each proof in excess of two)

1.50

AMOUNT OF CLAIM

\$ 31.74

COST

column 11 ems

Size of type 5½ point

Portions 2

Size of quad upon which type is cast 5½

and penalties of Ch. 89, Acts 1967,

The foregoing account is just and correct, that the amount claimed is legally due, after allowing all just the same has been paid.

V. E. Gerken

19 75

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

that, Sie is Clerk

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

time, the dates of publication being as follows:

6/30 & 7/7/75

Subscribed and sworn to before me this 7th day of July, 1975

V. E. Gerken
Notary Public

My commission expires October 25, 1975



Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

103

2

105

COMPUTATION OF CHARGES

1 columns wide equals 105 equivalent lines at .288¢ per line \$ 30.24

Charge for notices containing rule or tabular work (50 per cent of above)

Tra proofs of publication (50 cents for each proof in excess of two)

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TOTAL AMOUNT OF CLAIM

\$ 31.74

COST

11 column 11 ems

Size of type 5½ point

Sections 2

Size of quad upon which type is cast 5½

and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just if the same has been paid.

1975

Arvilla DeWald
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

6/30 & 7/7/75

Subscribed and sworn to before me this 7th day of July 1975

Notary Public

My commission expires October 25, 1975



Notice is hereby given that on the 24th day of June, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-75-10 G-18-75 General Ordinance, to-wit:

BILL NO. G-75-10

GENERAL ORDINANCE NO. G-18-75

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Whitmore Avenue in the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of a certain street having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on May 27, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter

174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53746), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Whitmore Avenue, Fort Wayne, Allen County, Indiana:

That portion of Whitmore Avenue, extending east from the east right-of-way of Darlene Drive, to its terminus, lying south of Lots 557, 56, 55 of Brooklyn Hills Addition, and north of Lots 552, 53 & 54 of Brooklyn Hills Addition.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

EUGENE KRAUS, Councilman Read the third time in full and on motion by Kraus, seconded by Hinga, and duly adopted, placed on its passage PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

DATE: 6-24-75

CHARLES W. WESTERMAN

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-18-75 on the 24th day of June, 1975.

ATTEST: (SEAL)

CHARLES W. WESTERMAN,

City Clerk

JAMES S. STIER

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of June, 1975, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,

City Clerk

Approved and signed by me this 25th day of June, 1975, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-18-75

passed by the Common Council on the 24th day of June, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of June, 1975 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of June, 1975.

CHARLES W. WESTERMAN,

City Clerk

6-207-7

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head number of lines	_____
Body number of lines	103
Tail number of lines	2
Total number of lines in notice	105

COMPUTATION OF CHARGES

105 lines, 1 columns wide equals 105 equivalent lines at .288¢ cents per line	\$ 30.24
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	_____
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	\$ 31.74

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 7, 1975

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 5, the dates of publication being as follows:

6/30 & 7/7/75

Subscribed and sworn to before me this 7th day of July 1975

Notary Public
My commission expires October 25, 1975